

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN THE ESTATE OF

RHOGENA ANN NICHOLAS,

DECEASED

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§

Civil Action No.: 4:20-cv-04287

**The Honorable Judge Kenneth M.
Hoyt**

NOTICE OF APPEAL

Notice is hereby given that The City of Houston (“City”) appeals to the United States District Court of Appeals for the Fifth Circuit from the district court’s Memorandum and Order for Remand [Doc. #13].

On December 17, 2020, the City removed this matter to the United States District Court for the Southern District of Texas [Doc. #1]. The notice of removal was premised in part on 28 U.S.C. § 1442, which is reviewable by appeal. 28 U.S.C. § 1447(d). Appellate jurisdiction extends to all possible grounds for removal. *Morgan v. Huntington Ingalls, Inc.*, 879 F.3d 602, 607 (5th Cir. 2018); *Decatur Hosp. Auth. v. Aetna Health, Inc.*, 854 F.3d 292, 296 (5th Cir. 2017).

Respectfully submitted,
ARTURO G. MICHEL
City Attorney

KELLY DEMPSEY
Chief, Torts/Civil Rights

Date: January 8, 2021

By: /s/ Christy L. Martin

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CERTIFICATE OF SERVICE

I hereby certify that pursuant to the Federal Rules of Civil Procedure, a true and correct copy of the foregoing was filed via CM/ECF which will automatically serve a Notice of Electronic Filing on the following:

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